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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,667	02/11/2002	Robert Study	72971	4594
22242	7590	08/25/2004		
FITCH EVEN TABIN AND FLANNERY 120 SOUTH LA SALLE STREET SUITE 1600 CHICAGO, IL 60603-3406				
			EXAMINER GANTT, ALAN T	
			ART UNIT 2684	PAPER NUMBER 6
DATE MAILED: 08/25/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/073,667

**Applicant(s)**

STUDY ET AL.

**Examiner**

Alan T. Gantt

**Art Unit**

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4, 5</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Objections***

Claims 1 and 15 are objected to because of the following informalities: Terminology is not in keeping with language usage in typical society. Terminology in claim limitation reads “. . . location address as contains a unique identifier as is then stored in the memory . . .”. The meaning of the limitation is obscured. A different way of stating this phrase may convey what applicant is seeking to get across. Appropriate correction is required.

Claims 4-9 are objected to because of the following informalities: applicant uses the phrase “detecting tactile assertion” which basically means pressing buttons or keys. The examiner suggests use of the more common terminology so that applicant’s claim language can reach and be understood by a broader audience. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fitzgibbon et al., in view of Personal Experience of the Examiner.

Regarding claim 1, Fitzgibbon discloses a movable barrier operator having thumbprint identification in a remote RF transmitter and utilizing a control circuit with a non-volatile memory that receives thumbprint information from a fingerprint detector and stores the information. Thus, Fitzgibbon discloses a method for use with a control device, which control device is operably coupleable to a movable barrier operator and receives movable barrier operator instructions from a plurality of transmitters, each of which transmitters is identifiable by a unique identifier (unique fingerprint – paragraph 0008-0011), the method comprising:

- providing a memory containing a plurality of the unique identifiers, wherein at least some of the unique identifiers can also have stored in correspondence therewith a blocking indicator to indicate that the unique identifier associated with the blocking indicator is not authorized to control at least one aspect of the movable barrier operator; (paragraphs 0036 [related to control circuit and unique identifiers], 0056 and 0080 [shows blocking signal indications])

Fitzgibbon is silent regarding displaying the unique identifiers as well as the first user interface that comprises the command to display the blocked unique identifiers.

The examiner, in making use of a building garage parking service has observed that in a facility that parks over a thousand cars daily, there are instances that certain cars are denied entrance. There is a means for communicating with the parking management office at the point of entry into the garage so that when a problem occurs, the driver can press a button to talk to the office and in most cases observed they can give an immediate response as to why access was denied. The system has connection to a central computer that keeps track of events such as receipt of payment and interfaces with office equipment that includes computer display devices.

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The fact that the automobile that was denied access is given the reason by an attendant in a very short amount of time suggests that a keystroke combined with the information from the key card transmitter brings up on a display screen an identifier that tells the operator the reason for the access denial. Thus, the following limitation is met.

- upon detecting assertion of a first user interface input that comprises a command to display blocked unique identifiers, displaying at least a first memory location address as contains a unique identifier as is then stored in the memory in association with one of the blocking indicators.

Fitzgibbon and the examiner's personal experience are combinable because they share a common endeavor, namely, parking garage mechanisms. At the time of the applicant's invention it would have been obvious to modify the movable barrier mechanism of Fitzgibbon to include an interface that includes a display to inform as to reasons for blocked operations so diagnosis can be determined quickly.

Regarding claims 2 and 3, the examiner takes Official Notice that the user interface means displays only one memory location address at a time is well known and at the time of the applicant's invention it would have been obvious to utilize such a display scheme as a diagnostic tool.

Regarding claims 4-9, what is described in these claims is touching keys and specific keys on a keypad that puts applicant's invention into motion. The examiner takes Official Notice

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that use of specific keypad inputs to make an application function is well known at that it would have been obvious to use such in the referenced prior art a such meets convention practice regarding interfaces.

Regarding claim 10, Fitzgibbon discloses a movable barrier operator having thumbprint identification in a remote RF transmitter and utilizing a control circuit with a non-volatile memory that receives thumbprint information from a fingerprint detector and stores the information. Thus, Fitzgibbon discloses a method for use with a control device, which control device is operably coupleable to a movable barrier operator and receives movable barrier operator instructions from a plurality of transmitters, each of which transmitters is identifiable by a unique identifier (unique fingerprint – paragraph 0008-0011), the method comprising:  
A device for use with a movable barrier operator comprising:

- memory means for storing identifying information as corresponds to a plurality of remote control transmitters and blocking information in association with any identifying information that corresponds to specific remote control transmitters that are not fully authorized with respect to the movable barrier operator; (paragraphs 0036 [related to control circuit and unique identifiers], 0056 and 0080 [shows blocking signal indications])

Fitzgibbon is silent regarding displaying the unique identifiers as well as the first user interface that comprises the command to display information related to blocked control transmitters.

The examiner, in making use of a building garage parking service has observed that in a facility that parks over a thousand cars daily, there are instances that certain cars are denied

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entrance. There is a means for communicating with the parking management office at the point of entry into the garage so that when a problem occurs, the driver can press a button to talk to the office and in most cases observed they can give an immediate response as to why access was denied. The system has connection to a central computer that keeps track of events such as receipt of payment and interfaces with office equipment that includes computer display devices. The fact that the automobile that was denied access is given the reason by an attendant in a very short amount of time suggests that a keystroke combined with the information from the key card transmitter brings up on a display screen an identifier that tells the operator the reason for the access denial. Thus, the following limitation is met.

- display means for displaying at least memory location addresses;
- user interface means for causing memory location addresses that correspond to identifying information for blocked remote control transmitters to be displayed in response to a command that blocked transmitters be displayed.

Fitzgibbon and the examiner's personal experience are combinable because they share a common endeavor, namely, parking garage mechanisms. At the time of the applicant's invention it would have been obvious to modify the movable barrier mechanism of Fitzgibbon to include an interface that includes a display to inform as to reasons for blocked operations so diagnosis can be determined quickly.

Regarding claims 11 and 12, the examiner takes Official Notice that the user interface means displays only one memory location address at a time is well known and at the time of the applicant's invention it would have been obvious to utilize such a display scheme as a diagnostic tool.

Regarding claim 13, such scheme would be a design choice and basically provides a default setting and the examiner takes Official Notice that such schemes are well known and it would have been obvious to modify the referenced prior art to include such as the most common setting would be in front of the operator once a diagnostic pattern has been completed.

Regarding claim 14, the examiner's personal experience suggests the use of a keyboard for such inputs.

Regarding claim 15, Fitzgibbon discloses a movable barrier operator having thumbprint identification in a remote RF transmitter and utilizing a control circuit with a non-volatile memory that receives thumbprint information from a fingerprint detector and stores the information. Thus, Fitzgibbon discloses a method for use with a control device, which control device is operably coupleable to a movable barrier operator and receives movable barrier operator instructions from a plurality of transmitters, each of which transmitters is identifiable by a unique identifier (unique fingerprint – paragraph 0008-0011), the method comprising:  
A method for use with a control device that receives instructions from a plurality of transmitters, each of which transmitters is identifiable by a unique identifier, the method comprising:



- providing a memory containing a plurality of the unique identifiers, wherein at least some of the unique identifiers can also have stored in correspondence therewith a blocking indicator to indicate that the unique identifier associated with the blocking indicator is not authorized to provide at least one instruction;

Fitzgibbon is silent regarding displaying the unique identifiers as well as the first user interface that comprises the command to display the blocked unique identifiers.

The examiner, in making use of a building garage parking service has observed that in a facility that parks over a thousand cars daily, there are instances that certain cars are denied entrance. There is a means for communicating with the parking management office at the point of entry into the garage so that when a problem occurs, the driver can press a button to talk to the office and in most cases observed they can give an immediate response as to why access was denied. The system has connection to a central computer that keeps track of events such as receipt of payment and interfaces with office equipment that includes computer display devices. The fact that the automobile that was denied access is given the reason by an attendant in a very short amount of time suggests that a keystroke combined with the information from the key card transmitter brings up on a display screen an identifier that tells the operator the reason for the access denial. Thus, the following limitation is met.

- upon detecting assertion of a first user interface input that comprises a command to display blocked unique identifiers, displaying at least a first memory location address as contains a unique identifier as is then stored in the memory in

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association with one of the blocking indicators. (Fitzgibbon makes use of location addresses in his series of patents and patent applications)

Fitzgibbon and the examiner's personal experience are combinable because they share a common endeavor, namely, parking garage mechanisms. At the time of the applicant's invention it would have been obvious to modify the movable barrier mechanism of Fitzgibbon to include an interface that includes a display to inform as to reasons for blocked operations so diagnosis can be determined quickly.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fitzgibbon discloses a method and apparatus for a rolling code-learning transmitter related to a barrier movement operator.

Any inquiry concerning this communication from the examiner should be addressed to Alan Gantt at telephone number (703) 305-0077. The examiner can normally be reached between 9:30 AM and 6 PM within the Eastern Time Zone. The group FAX number is (703) 872-9306.

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Any inquiry of a general nature or relating to this application should be directed to the group receptionist at telephone number (703) 305-4700.

*Alan T. Gantt*

Alan T. Gantt

August 20, 2004



**NICK CORSARO  
PRIMARY EXAMINER**